

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOANNE HENDERSON,)	
)	Civil Action
Plaintiff)	No. 2007-cv-05243
)	
vs.)	
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	
)	
Defendant)	
)	
SOCIAL SECURITY ADMINISTRATION)	
)	
Interested Party)	

O R D E R

NOW, this 11th day of December, 2008, upon consideration of Plaintiff's Brief and Statement of Issues in Support of Request for Review filed May 8, 2008; upon consideration of Defendant's Response to Request for Review of Plaintiff filed July 9, 2008; upon consideration of Plaintiff's Reply Brief filed July 26, 2008; upon consideration of the Report and Recommendation of United States Magistrate Judge Peter B. Scuderi filed October 10, 2008; upon consideration of Plaintiff's Complaint, defendant's Answer and after a thorough review of the record in this matter; it appearing that neither party filed objections to Magistrate Judge Scuderi's Report and Recommendation; it further appearing that Magistrate Judge Scuderi's Report and Recommendation correctly determined the legal and factual issues presented in this case,

IT IS ORDERED that Magistrate Judge Scuderi's Report and Recommendation is approved and adopted.

IT IS FURTHER ORDERED that plaintiff's request for remand is granted.

IT IS FURTHER ORDERED that the decision of the Commissioner dated September 26, 2007 which denied disability insurance benefits to plaintiff Joanne Henderson is vacated.

IT IS FURTHER ORDERED that pursuant to sentence four of 42 U.S.C. § 405(g) this matter is remanded to the Commissioner for further proceedings in accordance with Magistrate Judge Scuderi's Report and Recommendation.

IT IS FURTHER ORDERED that the Clerk of Court shall mark this case closed for statistical purposes.

BY THE COURT:

/s/ JAMES KNOLL GARDNER
James Knoll Gardner
United States District Judge